

C O U N C I L C O M M U N I C A T I O N

TO: THE CITY COUNCIL COUNCIL MEETING DATE: JULY 11, 1990

FROM: THE CITY MANAGER'S OFFICE

SUBJECT: CONSIDER AMENDING SECTION 17.57.160 OF THE LODI MUNICIPAL CODE -
ACCESSORY BUILDINGS

INDICATED ACTION: That the City Council consider the Planning Commission's recommendation that Section 17.57.160 of the Lodi Municipal Code concerning Accessory Buildings be amended to include the following:

"Detached accessory buildings shall have a maximum size of 120 square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line."

BACKGROUND INFORMATION: On February 5, 1990 Gary G. Greider corresponded with Mayor Snider and asked that Section 17.57.160 be amended to eliminate the possibility of incorporating an accessory building as part of an existing perimeter fence.

The Planning Commission reviewed Mr. Greider's problem and was concerned that it should not happen again. The Commission's recommendation is based on Building Code and Zoning requirements and addresses structures that do not need permits. All other accessory structures, which need Building Permits, will conform to the zoning criteria for setback, height, size and location.

JAMES B. SCHROEDER
Community Development Director

February 5, 1990

Mr. Randy Snider
City Council
Lodi, California

FEB 06 '90
City Manager's Office

Dear Randy,

A few months ago, a house that sets directly adjacent to my back yard was sold. The people that bought the house decided to build a barn in the rear of their back yard. In the process of building their barn, they cut approximately a foot off the top of my rear fence. This enabled them to use the lower five feet of fence for the lower portion of their barn without using any additional lumber. They then used the upper horizontal 2 X 4 on the fence to support the upper half of their barn.

I fully realize that this is a civil matter and not a problem that concerns the city. However, in reviewing the city code, 17.57.160 ACCESSORY BUILDINGS, I find that this code permits this type of building, in that it does not contain any easements between property lines. I can only imagine that this code was written in the time that many of the rear yards in Lodi had alleys between rear properties.

In the last ten years, Lodi has experienced a great deal of growth. During this time, the size of building lots has declined. Therefore, I would like to enlist your support in amending the city code 17.57.160 to include a five foot easement between property lines for accessory buildings.

I strongly believe that the above mentioned amendment to this particular code would eliminate future problems for property owners in Lodi.

Sincerely,


Gary G. Greider

2338 Rockingham Circle
Lodi, CA 95242

ORDINANCE NO. 1494

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING LODI MUNICIPAL CODE SECTION 17.57.160 - ACCESSORY BUILDINGS

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 17.57.160 is hereby amended **by** adding thereto a new subsection **D** to read as follows:

D "Detached accessory buildings shall have a maximum size of 120 square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line."

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of **todi** and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of

JOHN R. SNIDER
Mayor

Attest :

ALICE M. REIMCHE
City Clerk

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State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1494 was introduced at a regular meeting of the City Council of the City of Lodi held July 11, 1990 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1990 by the following vote:

Ayes: Council Members -
Noes : Council Members -
Absent: Council Members -
Abstain: Council Members -

I further certify that Ordinance No. 1494 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to Form

BOBBY W. McNATT
City Attorney

ORD1494/TXTA.01V



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: July 11, 1990

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk

Telephone: 3334702

NOTICE OF PUBLIC HEARING

July 11, 1990

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

The Planning Commission's recommendation that Section 17.57.160 of the Municipal Code concerning Accessory Buildings be amended to include the following:

"Detached accessory buildings shall have a maximum size of 120 square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line."

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
Alice M. Reimche
City Clerk

Dated: June 20, 1990

Approved as to form:

B W McNatt
Bobby W. McNatt
City Attorney